S.B.CIVIL WRIT PETITION NO.2296/1994

(Mohan Ram v. State of Raj. & Ors.)

Date of Order : 10th May, 2005

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. J.L.Purohit, for the petitioner.
Mr. Shyam Ladrecha, Addl.Govt.Advocate.

By judgments impugned dated 30.11.1993 and 17.3.1994 the Board of Revenue decided the reference made to it under Section 232 of the Rajasthan Tenancy Act, 1955. By same judgments reference made in the case of Kishna Ram son of Lakha Ram (reference No.90/93/TA/Bikaner) was also decided by the Board of Revenue.

The writ petition preferred by aforesaid Shri Kishna Ram challenging the same impugned judgments has already been accepted by this Court today itself.

In view of judgment of this Court in SBCivil Writ Petition No.2234/94, Kishna Ram v. State of Raj. & Ors., decided on 10.5.2005, this writ petition also deserves to be allowed.

Accordingly this writ petition is allowed. The judgment dated 30.11.1993 passed by the Board of Revenue, Rajasthan, Ajmer and the judgment dated

17.3.1994 passed by Board of Revenue, Rajasthan, Ajmer, Anxs.4 and 5 respectively, are hereby quashed. The reference made to the Board of Revenue under Section 232 of the Act of 1955 is also quashed being made at a belated stage. The order passed by the Assistant Commissioner, Kolayat dated 28.4.1992 is restored.

No order as to costs.

(GOVIND MATHUR),J.

kkm/ps.